

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RICHARD L. AHEARN, Regional Director  
of the Nineteenth Region of the National  
Labor Relations Board, for and on behalf of  
the NATIONAL LABOR RELATIONS  
BOARD,

Petitioner,

v.

INTERNATIONAL LONGSHORE AND  
WAREHOUSE UNION, LOCAL 21.

Respondent,

and

INTERNATIONAL LONGSHORE AND  
WAREHOUSE UNION, LOCAL 4

Respondent.

CASE NO. 11-CV-05684 RBL

ORDER AWARDING  
COMPENSATORY DAMAGES FOR  
CIVIL CONTEMPT OF COURT

This Matter is before the Court on the Petitioner's Motion for an Order finding the  
Respondents to be in civil contempt of this court's September 1, 2011 Temporary Restraining

ORDER AWARDING COMPENSATORY  
DAMAGES FOR CIVIL CONTEMPT OF COURT -

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[11-CV-05684 RBL]

1 Order. On September 8, 2011, the Court ordered the Respondents to Show Cause why they  
2 should not be held in civil contempt. On September 15, the Court held a hearing to determine  
3 whether Respondents had engaged in contumacious conduct. In separate Orders, this Court  
4 Adjudicated the Respondents in Contempt, and imposed a schedule of civil contempt fines for  
5 future violations of the TRO, and of the Court's September 8 Preliminary Injunction [Dkt. #58].

6 The Court has reviewed the Petitioner's evidence in support of an award of compensatory  
7 damages [Dkt. #s 83, 84, and 85] Respondents seek a total of \$292,697.65, which includes  
8 \$137,114.45 reflecting damage sustained and costs incurred by the charging party, EGT. The  
9 Court has also reviewed the Declaration of EGT's General Manager, Jerry Gibson, with Exhibits  
10 [Dkt. #89-1]. These documents reflect and support EGT's claim that its damages, not including  
11 attorneys' fees, are \$101,959.04.

12 The Court has also reviewed the Respondents evidentiary and legal objections to the  
13 Petitioner's entitlement to an award, and to the amount of compensation it seeks. [See Dkt. #s  
14 90, 91, and 92]. The Court heard oral argument on the issues raised September 30, 2011.

15 For the reasons discussed in that argument, the Court hereby Orders that the Respondents  
16 pay a civil contempt compensatory award in the amount of Two Hundred and Fifty Thousand  
17 Dollars (\$250,000.00). This amount reflects a discount on the amount sought by Petitioner.  
18 This award shall be reflected in a Judgment prepared by the Petitioner, and shall be payable to  
19 the various entities claiming damages in Dkt. #84, on a pro rata basis. The judgment shall be  
20 against Respondents International Longshore Workers Union, Local 21, and Local 4, jointly and  
21 severally.  
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ORDER AWARDING COMPENSATORY  
DAMAGES FOR CIVIL CONTEMPT OF COURT -

1  
2 IT IS SO ORDERED.

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4 Dated this 30<sup>th</sup> day of September, 2011

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7 RONALD B. LEIGHTON  
8 United States District Judge  
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